

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
HAO ZHE WANG,

Plaintiff,

-against-

19 CIVIL 9506 (JMF)

**Rule 54(b) JUDGMENT**

VERIZON COMMUNICATIONS INC. et al.,

Defendants.  
-----X

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated November 24, 2021, and the Court's Opinion and Order, dated September 15, 2021, the Verizon Defendants' motion to dismiss is GRANTED and Wang's claims against them are DISMISSED. The Court has declined to grant Wang leave *sua sponte* to amend his claims yet again. Wang has already had multiple opportunities to amend. *See, e.g., Transeo S.A.R.L. v. Bessemer Venture Partners VI L.P.*, 936 F. Supp. 2d 376, 415 (S.D.N.Y. 2013) ("Plaintiff's failure to fix deficiencies in its previous pleadings is alone sufficient ground to deny leave to amend *sua sponte*." (citing cases)). Additionally, many of the problems with Wang's claims are substantive and cannot be cured through amendment. *See, e.g., Cuoco v. Moritsugu*, 222 F.3d 99, 112 (2d Cir. 2000) (holding that a district court may deny leave to amend when amendment would be futile because the problems with the plaintiff's claims are "substantive" and "better pleading will not cure" them). And finally, Wang "has not requested permission to file [an amended complaint], nor has he given any indication that he is in possession of facts that would cure the problems identified in this opinion." *Clark v. Kitt*, No. 12-CV-8061 (CS), 2014 WL 4054284, at \*15 (S.D.N.Y. Aug. 15, 2014). Judgment is entered judgment pursuant to Federal Rule of Civil Procedure 54(b) with respect to the claims against the other Defendants that is, all Defendants other than Enhanced Recovery Co. LLC in the case.

**Dated:** New York, New York  
November 29, 2021

**RUBY J. KRAJICK**

\_\_\_\_\_  
Clerk of Court

BY:

\_\_\_\_\_  
*xmango*  
Deputy Clerk